

# **SCHEDULE**

# **A**

**SCHEDULE A**

**AUTHORITY FOR THE TAKING**

The property is taken under and in accordance with 40 U.S.C. §§ 3113 and 3114, which authorize the condemnation of land and the filing of a Declaration of Taking; the Act of Congress approved September 30, 1996, as Public Law 104-208, Division C, Section 102, 110 Stat. 3009-546, 3009-554-55, as amended and codified at 8 U.S.C. § 1103(b) & note; and the Act of Congress approved March 23, 2018, as Public Law 115-141, div. F, tit. II, 132 Stat. 348, which appropriated the funds that shall be used for the taking.

# **SCHEDULE B**

**SCHEDULE B**

**PUBLIC PURPOSE**

The public purpose for which said property is taken is to construct, install, operate, and maintain roads, fencing, vehicle barriers, security lighting, cameras, sensors, and related structures designed to help secure the United States/Mexico border within the State of Texas.

# **SCHEDULE C**

**SCHEDULE C**

**LEGAL DESCRIPTION**

Hidalgo County, Texas

Tract: RGV-MCS-2117

Owner: Helen Catherine Hardwicke, et al.

Acres: 2.749

County: Hidalgo

Grantor: John B. Hardwicke Company

Acreage: 2.749

**Being** a 2.749 acre (119,732 square feet) parcel of land, being out of Porción 54, being out of a portion of Lot 9-5 of West Sharyland Addition recorded in Volume 1, Page 56, Map Records of Hidalgo County, Texas and being the same tract of land conveyed to John B. Hardwicke Company by Warranty Deed recorded in Volume 925, Page 192, Deed Records of Hidalgo County, Texas ("Tract No. 7"), said parcel of land being more particularly described by metes and bounds as follows;

**Commencing** at a set 5/8" rebar with a "MDS" aluminum disk capped survey marker stamped with the following description: "RGV-MCS-2126-1-12", said point being at the south corner of a called 4.135 acre tract conveyed to Hardwicke, Hardwicke & Hardwicke, LTD. by Warranty Deed recorded in Instrument No. 2007-1840309, Official Records of Hidalgo County, Texas ("Tract II") and the northwest corner of a called 2.654 acre tract conveyed to Hardwicke, Hardwicke & Hardwicke, LTD. by Warranty Deed recorded in Instrument No. 2007-1840309, Official Records of Hidalgo County, Texas ("Tract I"), said point being in the northeast line of the river levee right-of-way conveyed to the United States of America by Easement Deed recorded in Volume 542, Page 165, Deed Records of Hidalgo County, Texas ("R/W 749-H"), said point having the coordinates of N=16588194.977, E=1037027.263;

**Thence:** N 44-41-35 W (S 44-29-00 E, Record), with the northeast line of the "R/W 749-H" river levee right-of-way and the southwest line of the 4.135 acre tract, for a distance of 91.07' to a set 5/8" rebar with a "MDS" aluminum disk capped survey marker stamped with the following description: "RGV-MCS-2126-1-11=2117-1" for the **Place of Beginning** and east corner of Tract RGV-MCS-2117, said point being at the east corner of the John B. Hardwicke Company tract, said point being in the northeast line of the "R/W 749-H" river levee right-of-way, the southwest line of the 4.135 acre tract and the south line of Lot 9-5, said point having the coordinates of N=16588259.717, E=1036963.213;

**Thence:** N 81-25-10 W, departing the southwest line of the 4.135 acre tract, with the south line of the John B. Hardwicke Company tract and the south line of Lot 9-5, over and across the "R/W 749-H" river levee right-of-way, passing at 214.67' the southwest line of the "R/W 749-H" river levee right-of-way, continuing for a total distance of 443.72' to a set 5/8" rebar with a "MDS" aluminum disk capped survey marker stamped with the following description: "RGV-MCS-2126-




1-10=2117-2" for the southwest corner of Tract RGV-MCS-2117, said point being in the south line of the John B. Hardwicke Company tract and the south line of Lot 9-5;

**Thence:** N 45-02-48 W, over and across the John B. Hardwicke Company tract and Lot 9-5, for a distance of 167.36' to a set 5/8" rebar with a "MDS" aluminum disk capped survey marker stamped with the following description: "RGV-MCS-2117-3=2116-1" for the west corner of Tract RGV-MCS-2117, said point being in the west line of the John B. Hardwicke Company tract and the west line of Lot 9-5;

**Thence:** N 08-34-50 E, with the west line of the John B. Hardwicke Company tract and the west line of Lot 9-5, passing at 178.76' the southwest line of the "R/W 749-H" river levee right-of-way, continuing for a total distance of 341.27' to a set 5/8" rebar with a "MDS" aluminum disk capped survey marker stamped with the following description: "RGV-MCS-2117-4=2116-15" for the north corner of Tract RGV-MCS-2117, said point being at the north corner of the John B. Hardwicke Company tract, said point being in the west line of Lot 9-5, the northeast line of the "R/W 749-H" river levee right-of-way and the southwest line of the 4.135 acre tract, said point bears S 48-42-09 E, a distance of 2157.07' from United States Army Corps of Engineers Control Point No. 102;

**Thence:** with the northeast line of the John B. Hardwicke Company tract, the northeast line of the "R/W 749-H" river levee right-of-way and the southwest line of the 4.135 acre tract, the following courses and distances:

- S-43-41-10 E, for a distance of 355.26' to a set 5/8" rebar with a "MDS" aluminum disk capped survey marker stamped with the following description: "RGV-MCS-2117-5" for an angle point of Tract RGV-MCS-2117;
- S-44-33-10 E, for a distance of 371.88' to the **Place of Beginning**. 

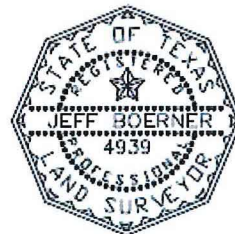
**Note:** All bearings, distances and coordinates are referenced to the Texas State Plane Coordinate System, South Zone grid (SPCS 4205) NAD'83. Values may be converted to ground values using a combined scale factor of 1.000040000.

Prepared Date 12/21/2018

Revision Date \_\_\_\_\_

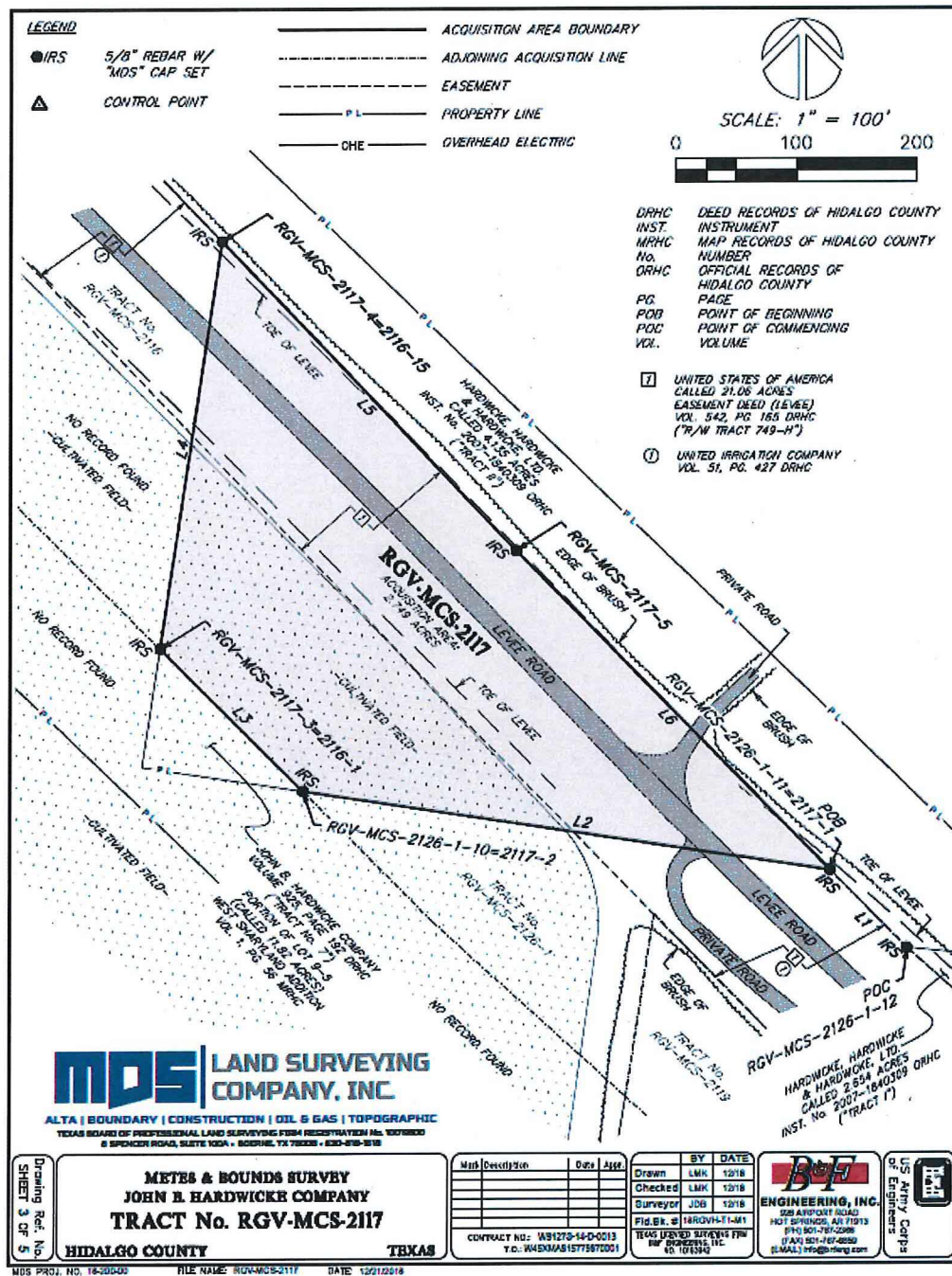
Signed \_\_\_\_\_

MDS Land Surveying Company, Inc.  
Jeff Boerner, R.P.L.S. No. 4939



# **SCHEDULE D**



**SCHEDULE D****MAP or PLAT****LAND TO BE CONDEMNED**

Tract: RGV-MCS-2117

Owner: Helen Catherine Hardwicke, et al.

Acreage: 2.749 acres

**SCHEDULE D,**

Cont.

LINE	BEARING	DISTANCE	REC-BEARING	REC-DISTANCE
L1	N 44°41'35" W	91.07'	S 44°29'00" E	N/A
L2	N 81°25'10" W	443.72'	N/A	N/A
L3	N 45°02'48" W	167.36'	N/A	N/A
L4	N 05°34'50" E	341.27'	N/A	N/A
L5	S 43°41'10" E	355.26'	N/A	N/A
L6	S 44°53'10" E	371.88'	N/A	N/A
L7	S 48°42'09" E	2157.07'	N/A	N/A

COORDINATE TABLE

MONUMENT NAME	NORTHING	EASTING
RGV-MCS-2126-1-12	16588194.977	1037027.263
RGV-MCS-2126-1-11=2117-1	16588259.717	1036963.213
RGV-MCS-2126-1-10=2117-2	16588325.920	1036524.455
RGV-MCS-2117-3=2116-1	16588444.166	1036408.015
RGV-MCS-2117-4=2116-15	16588761.621	1036456.933
RGV-MCS-2117-5	16588524.723	1036702.312

**NOTES**

1. THE BEARINGS, DISTANCES, AND COORDINATE VALUES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, REFERENCED TO NAD83(2011), TX SOUTH ZONE (420N), US SURVEY FEET, USING THE CORS(2011) ADJUSTMENT. THE DISTANCES AND COORDINATES SHOWN HEREON ARE GRID VALUES AND MAY BE CONVERTED TO GROUND (SURFACE) USING THE TARRANT COUNTY PUBLISHED COMBINED SCALE FACTOR OF 1.000040000 (E.G. GRID X 1.000040000 = SURFACE).
2. A SEPARATE METES AND BOUNDS DESCRIPTION OF EQUAL DATE WAS WRITTEN IN CONNECTION WITH THIS SURVEY PLAT.
3. THE SQUARE FOOTAGE TOTAL RECITED HEREIN IS BASED ON MATHEMATICAL CALCULATIONS AND SUBJECT TO THE RULES OF ROUNDING AND SIGNIFICANT NUMBERS.
4. THE BEARINGING ACREAGE OF THE PARENT TRACT WAS CALCULATED FROM THE RECORDED INSTRUMENTS AND IS NOT BASED ON FIELD DIMENSIONS.
5. FIELD SURVEY COMPLETED 11/7/2018.
6. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
7. MDS LAND SURVEYING COMPANY, INC. HAS PROVIDED THESE SURVEY SERVICES TO THE CORPS OF ENGINEERS AS A SUBCONSULTANT TO B&F ENGINEERING, INC., THE PRIME CONSULTANT. THE CORPS' CONTRACTING OFFICER'S REPRESENTATIVE IS STEPHEN COMLEY, MPIS (017) BRG-1143.

**MDS** LAND SURVEYING  
COMPANY, INC.

ALTA | BOUNDARY | CONSTRUCTION | OIL & GAS | TOPOGRAPHIC  
TEXAS BOARD OF PROFESSIONAL LAND SURVEYING REGISTRATION No. 0078900  
8 SPENCER ROAD, SUITE 100A • BOERNE, TX 78008 • 830-478-1878

Drawing  
Set  
No.  
SHEET 4 OF 5

**METES & BOUNDS SURVEY**  
**JOHN B. HARDWICKE COMPANY**  
**TRACT No. RGV-MCS-2117**

**HIDALGO COUNTY**

**TEXAS**

With Description	Date	By

CONTRACT NO.: W81270-14-D-0013  
T.O. W45XMA815775870001

BY	DATE
Drawn	LMN 12/18
Checked	LMN 12/18
Surveyor	JDB 12/18
Field	18RCVH-1-M1
TECH. DRAWN	BY
BY	12/18/18

**B&F**  
**ENGINEERING, INC.**  
228 ARROYO ROAD  
HUTCHINSON, AR 71813  
P.O. BOX 181228  
(501) 501-7400  
(E-MAIL) info@bfeinc.com

**US Army Corps of Engineers**

MPIS PROJ. NO. 18-00540

FILE NAME: RGV-MCS-2117

DATE 12/21/2018





# **SCHEDULE E**

**SCHEDULE E**

**ESTATE TAKEN**

Hidalgo County, Texas

Tract: RGV-MCS-2117

Owner: Helen Catherine Hardwicke, et al.

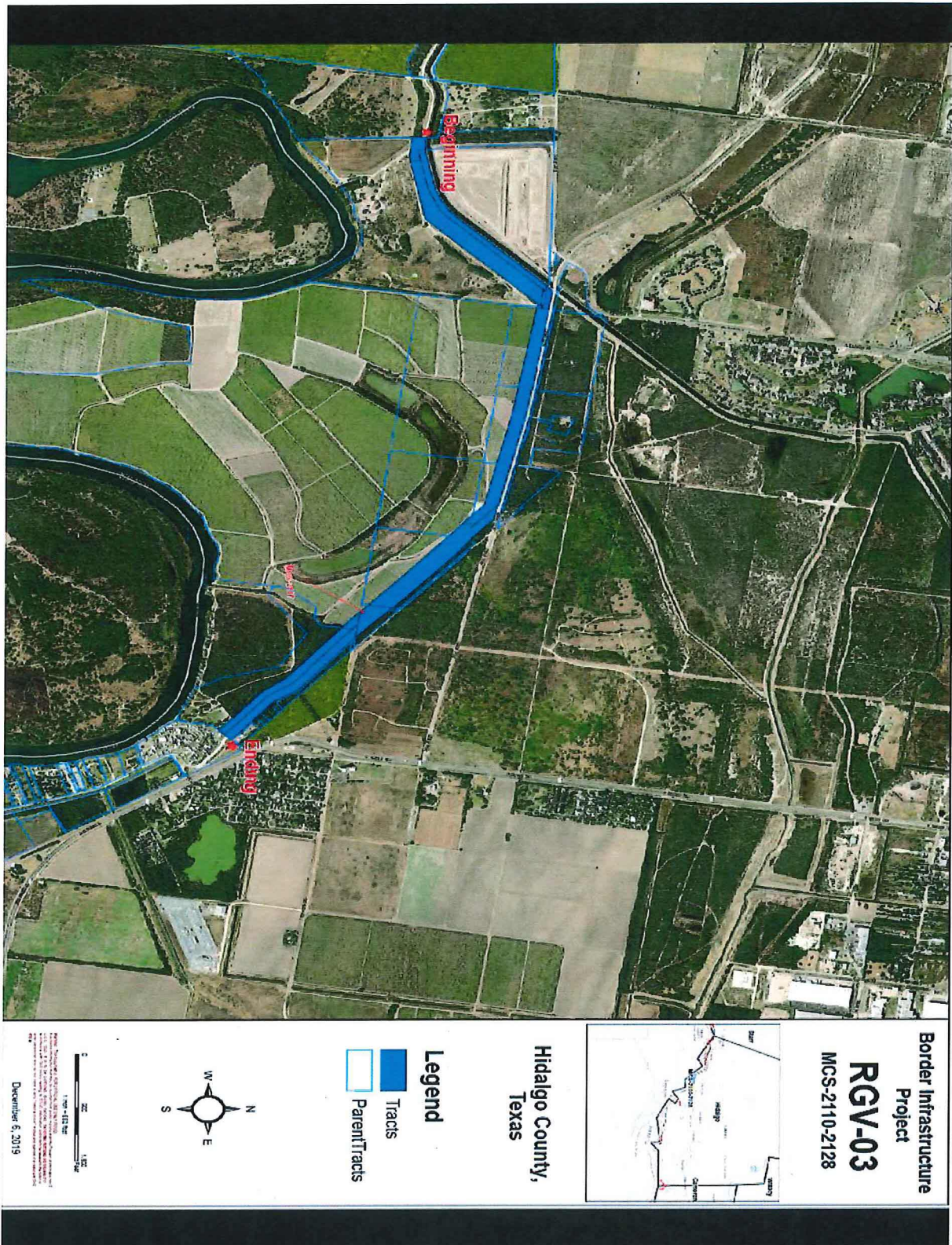
Acres: 2.749 acres

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines; and subject to all interests in minerals and appurtenant rights for exploration, development, production and removal of said minerals;

Reserving to the owners of lands identified in Warranty Deed Volume 925, Page 192, ("Tract No. 7") Deed Records of Hidalgo County, Texas reasonable access to and from the owners' lands lying between the Rio Grande River and the border barrier through opening(s) or gate(s) in the border barrier between the westernmost mark labeled "Beginning" and easternmost mark labeled "Ending" depicted on the map below;

Excepting and excluding all interests in water rights and water distribution and drainage systems, if any, provided that any surface rights arising from such water rights or systems are subordinated to the United States' construction, operation and maintenance of the border barrier.

**SCHEDULE E (cont.)**



# **SCHEDULE F**



**SCHEDULE F**

**ESTIMATE OF JUST COMPENSATION**

The sum estimated as just compensation for the land being taken is TWENTY-TWO THOUSAND FOUR HUNDRED EIGHTY-NINE DOLLARS AND NO/100 (\$22,489.00), to be deposited herewith in the Registry of the Court for the use and benefit of the persons entitled thereto.

# **SCHEDULE G**

**SCHEDULE G****INTERESTED PARTIES**

The following table identifies all persons who have or claim an interest in the property condemned and whose names are now known, indicating the nature of each person's property interest(s) as indicated by references in the public records and any other information available to the United States. See Fed. R. Civ. P. 71.1(c).

Interested Party
<b>Helen Catherine Hardwicke</b> Address unknown
<b>Alexandra Elizabeth Hardwicke</b> Address unknown
<b>Mary Irene Hardwicke Olivieri</b> [REDACTED], Tucson, AZ 85743-8609
<b>James Bennett Hardwicke</b> [REDACTED], McAllen, TX 78502-3007
<b>Richard Bruce Hardwicke</b> [REDACTED], McAllen, TX 78502-3007
<b>Sally Ann Hardwicke Brace</b> [REDACTED], McAllen, TX 78502-3007
<b>John B. Hardwicke VI</b> Address unknown
<b>John B. Hardwicke Co.</b> [REDACTED], McAllen, TX 78502-3007
<b>Neuhaus &amp; Sons,</b> [REDACTED] Weslaco, TX 78599
<b>Hidalgo County</b> Pablo (Paul) Villarreal Jr. Tax Assessor-Collector 2804 S. Business Hwy 281 Edinburg, TX 78539 (956) 318-2157